

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION  
AND IS NOT BINDING PRECEDENT OF THE BOARD

Paper No.

67

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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ROBERT G. HAMILTON,  
and ROBERT J. COOMBES

Junior Party,  
(Patent No. 5,068,755)<sup>1</sup>

v.

STEVEN V. HOLSINGER,

Senior Party.  
(Application 08/116,470)<sup>2</sup>

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Interference No. 103,991

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Before McKELVEY, Senior Administrative Patent Judge, and  
SCHAFFER and LEE, Administrative Patent Judges.

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<sup>1</sup> Issued on November 26, 1991, and based on application 07/532,280, filed on June 1, 1990. Assigned to Discovision Associates.

<sup>2</sup> Filed on September 2, 1993. Accorded the benefit of (1) application 07/519,497, filed May 4, 1990, issued as Patent No. 5,050,013, on September 17, 1991, and (2) application 07/445,753, filed December 4, 1989. Assigned to Discovision Associates.

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LEE, Administrative Patent Judge.

**JUDGMENT**

On May 2, 2000, Discovision Associates, the common assignee of the junior party's involved patent and senior party's involved application, filed a paper electing senior party Holsinger as the prior inventive entity relative to junior party Hamilton. (Paper No. 64). In the same paper, Discovision Associates requests that judgment be awarded in favor of senior party Holsinger. The request is granted.

It is

**ORDERED** that judgment as to the subject matter of the count is herein awarded against junior party ROBERT G. HAMILTON, and ROBERT J. COOMBES;

**FURTHER ORDERED** that Robert G. Hamilton and Robert J. Coombes are not entitled to a patent containing their claims 8, 9, 17, 18 and 19 which correspond to the count;

**FURTHER ORDERED** that judgment as to the subject matter of the count is herein awarded in favor of senior party STEVEN V. HOLSINGER; and

**FURTHER ORDERED** that Steven V. Holsinger, on this record, is entitled to a patent containing his application claims 9,

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10, 16, 17, 23, and 24-28 (as already renumbered from 25 and  
27-30 at the time of declaration of this interference) which  
correspond to the count.

_____	)	
Fred E. McKelvey, Senior	)	
Administrative Patent Judge)	)	
	)	
	)	BOARD OF PATENT
_____	)	APPEALS
Richard E. Schafer	)	AND
Administrative Patent Judge)	)	INTERFERENCES
	)	
	)	
	)	
_____	)	
Jameson Lee	)	
Administrative Patent Judge)	)	

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By Federal Express

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